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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION THREE

In re HEATHER R., a Person Coming Under
the Juvenile Court Law.

SOCIAL SERVICES AGENCY,

Plaintiff and Respondent.

v.

PAIGE C.,

Defendant and Appellant.

A098543

(Napa County
Super. Ct. No. JV12772)

Paige C. appeals the juvenile court's order denying her reunification services with her daughter, Heather R. Appellant contends that, at the jurisdictional hearing, she did not knowingly and intelligently give up her right to challenge the allegation that her daughter was severely sexually and physically abused.

Appellant recognizes that the order of the juvenile court at the dispositional hearing denying reunification services constituted an appealable judgment.¹ Her notice of appeal, however, was signed and dated more than 60 days later, and was not filed until

¹ In its order filed the same day, the juvenile court also ordered visitation, and did not set a hearing pursuant to Welfare Institutions code § 366.26. The court's order specifically advised appellant of her right to appeal within 60 days.

more than 7 months later. Respondent Napa County Social Services Agency has therefore moved to dismiss the appeal for lack of jurisdiction. Appellant opposes the motion to dismiss, relying upon the general policy favoring disposition of appeals on the merits, and requests that this court hear the appeal “notwithstanding any technical defects.” She provides no explanation, however, for the late execution and filing of her notice of appeal.

The time for filing the notice of appeal began to run on September 6, 2001, when the order was pronounced in open court, in the presence of appellant and her attorney. (*In re Alyssa H.* (1994) 22 Cal.App.4th 1249, 1254; *In re Markaus V.* (1989) 211 Cal.App.3d 1331, 1337.) Appellant’s notice of appeal, dated November 11, 2001, and filed April 19, 2002, was therefore untimely. The juvenile court’s order has become final, and we are without appellate jurisdiction. (*In re Alyssa H., supra*, 22 Cal.App.4th at p. 1254.)

Disposition

The appeal is dismissed. Respondent’s request for an extension of time is denied as moot.

Corrigan, Acting P.J.

We concur:

Parrilli, J.

Pollak, J.